59-24-00 532 P d PCT/PTO 26 SEP 2008 CV

FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK ATTORNEY'S DOCKET NUMBER OFFICE (MODIFIED) X-11965 U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5) NSMITTAL LETTER TO THE UNITED STATES 09/647278 **DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371** ERNATIONAL APPLICATION NO. INTERNATIONAL FILING PRIORITY DATE CLAIMED PCT/US99/18961 DATE August 19, 1998 (08/19/98) August 19, 1999 (08/19/99) TITLE OF INVENTION: METHOD FOR INCREASING BONE TOUGHNESS AND STIFFNESS AND REDUCING **FRACTURES** APPLICANT(S) FOR DO/EO/US: Janet Mary Hock Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 1. This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 2. 3. This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1). A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date. 5. copy of the International Application as filed (35 U.S.C. 371(c)(2)) is transmitted herewith (required only if not transmitted by the International Bureau). a. b. has been transmitted by the International Bureau. is not required, as the application was filed in the United States Receiving Office (RO/US). A translation of the International Application into English (35 U.S.C. 371(c)(2)). 6. 7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) are transmitted herewith (required only if not transmitted by the International Bureau). a. b. have been transmitted by the International Bureau. have not been made; however, the time limit for making such amendments has NOT expired. c. d. have not been made and will not be made. A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 8. 9. X An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). Items 11. to 16. below concern document(s) or information included: 11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. A FIRST preliminary amendment. A SECOND or SUBSEQUENT preliminary amendment. 14. A substitute specification. 15. A change of power of attorney and/or address letter. 16.

Other items or information:

U.S. APPLICATION OF	PPLICATION OF (1/known sees 27. Ex. 1.5) PCT/US99/18961				O. ATTORNEY'S DOCKET NUMBER  X-11965		
17. X The following	ng fees are submitted:			CA	LCULATIONS	PTO USE ONLY	
BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)): Search Report has been prepared by the EPO or JPO\$840.00							
International preliminary examination fee paid to USPTO (37 CFR 1.482)							
No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2))							
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$970.00							
International preliminary examination fee paid to USPTO (37 CRF 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) \$96.00							
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$	840.00		
Surcharge of \$130.00 for furnishing the oath or declaration later than2030 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$			
CLAIMS		NUMBER EXTRA	RATE				
Total claims	8 - 20=		X \$18.00	\$			
Independent claims	3 - 3=		X \$78.00	\$			
MULTIPLE DEPEND	DENT CLAIM(S) (if appli	icable)	+ \$260.00	\$			
TOTAL OF ABOVE CALCULATIONS =				\$	840.00		
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity				\$			
Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).  SUBTOTAL =				Φ	840.00	<u> </u>	
Processing fee of \$130.00 for furnishing English translation later than2030				\$	040.00		
months from the earliest claimed priority date (37 CFR 1.492(f)). +  TOTAL NATIONAL FEE =				\$	840.00		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be				\$	040.00		
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				Ψ		97	
TOTAL FEES ENCLOSED =				Φ_	940.00		
TOTAL FEED ENCLOSED -				Φ	Amount to be	\$	
•					refunded		
					charged	\$	
<ul> <li>a. A check in the amount of \$ to cover the above fees is enclosed.</li> <li>b. X Please charge my Deposit Account No. 05-0840 in the amount of \$\frac{\$840.00}{\$00}\$ to cover the above fees. A duplicate copy of this sheet is enclosed.</li> <li>c. X The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any</li> </ul>							
overpayment to Deposit Account No. 05-0840. A duplicate copy of this sheet is enclosed.							
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.							
SEND ALL CORRESPONDENCE TO:					llaro		
ELI LILLY AND COMPANY SIGNATU							
PATENT DIVISION/PC	K		<b>D</b> 10				
LILLY CORPORATE CENTER  Paul C. Kimball NAME					<del></del>		
		2.4	641		(202) 424 10	<sub>24</sub> [	
Date			,641 GISTRATION NUMBI	ER	(202) 434-10 TELEPHON		

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Janet Mary Hock

International Application No.: PCT/US99/18961

Filed: August 19, 1999 (08/19/99)

Invention: METHOD FOR INCREASING BONE TOUGHNESS AND STIFFNESS AND REDUCING

**FRACTURES** 

Lilly Reference: X-

X-11965

Earliest Priority Date: August 19, 1998 (08/19/98)

## Certificate Under 37 C.F.R. § 1.10

Attention: DO/EO

**Box PCT** 

**Assistant Commissioner for Patents** 

Washington, D.C. 20231

Sir/Madam:

"Express Mail" mailing label number: EL559726180US

Date of Deposit: September 26, 2000

I hereby certify that the following attached paper or fee

Transmittal Letter to the United States Designated/Elected Office (US) concerning a filing under 35 U.S.C. 371 of the International Application identified above is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Olga M. Franz

(Typed or printed name of person mailing paper)